

### **REMARKS/DISCUSSION OF ISSUES**

Claims 1-6 and 8-13 are pending in the application.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

### **OBJECTIONS TO THE DRAWINGS**

The FINAL Office Action objects to FIG. 1, alleging that it illustrates a non-functional device. Specifically, the FINAL Office Action states that if the lamp assembly shown in FIG. 1 were inserted into a holder in any rotational position, then the conduction member 9 would contact the contact member 20. Applicant disagrees and respectfully traverses this objection.

Applicant respectfully submits that the Office Action makes unsupported assumptions to draw its conclusion of non-functionality. For example, as anyone of skill in the art . . . or even no knowledge of the art at all . . . would realize, conduction member 9 could comprise a common insulated wire with bare metal exposed only at the contact member 20. Or as the Office Action itself acknowledges, if the holder is designed to receive lamp 11, then the light would function just fine without the purported shorting problem that is conjured up by the FINAL Office Action.

Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

### **35 U.S.C. § 103**

The FINAL Office Action rejects: claims 1-3, 6 and 8-12 under 35 U.S.C. § 103 over U.S. Patent 5,698,936 to Marien *et al.* ("Marien"); and claims 4, 5 and 13 under 35 U.S.C. § 103 over Marien in view of WO/2003/022013 ("Kika").

Applicant respectfully traverses these rejections for at least the following reasons.

#### **Independent Claim 1**

Among other things, the high pressure discharge lamp assembly of claim 1 includes a discharge lamp and a concave reflector, wherein the first end portion of the discharge lamp extends through an opening provided in a center section of the

reflector, and wherein the discharge lamp is mounted in a fixation means provided in the opening of the reflector.

Applicant respectfully submits that Marien neither discloses nor suggests any high pressure discharge lamp assembly including this combination of features.

The FINAL Office Action states that Marien discloses discharge vessel 30 “*extends through an opening (between 4 and 5) provided in a center section of the reflector 1.*” The FINAL Office Action also cites plate 25 and cement 27 as supposedly corresponding to the fixation means of claim 1.

However, by its very language, claim 1 recites that the fixation means is provided in the (i.e., the very same) opening through which the first end portion of the discharge lamp extends.

Meanwhile, it is apparent from FIGs. 1 & 2 of Marien that plate 25 and cement 27 are not provided in the supposed “*opening (between 4 and 5)*” through which the FINAL Office Action states a first end portion of discharge vessel 30 extends. It also would not have been obvious – or even necessarily possible – to move plate 25 and cement 27 so that they would be provided in the “*opening (between 4 and 5)*” through which discharge vessel 30 extends.

So Applicant respectfully submits that Marien does not disclose or suggest the high pressure discharge lamp assembly of claim 1.

So, for at least the reasons above, Marien does not teach or suggest at least one feature of claim 1. Therefore, a *prima facie* case of obviousness has not been established and claim 1 is patentable over the applied art. Accordingly, Applicant requests that the rejection of claim 1 be withdrawn.

#### Dependent Claims 2-6, 8-11

Claims 2-3, 6, and 8-11 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejections of claims 2-3, 6, and 8-11 be withdrawn.

#### Dependent Claims 4 and 5

Claims 4 and 5 depend from claim 1. Applicant respectfully submits that Kika does not remedy the deficiencies of Marien as set forth above with respect to claim 1, and therefore claims 4 and 5 are deemed patentable for at least the reasons set forth

above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejections of claims 4 and 5 be withdrawn.

Independent Claim 12

Among other things, the high pressure discharge lamp assembly of claim 12 includes a discharge lamp and a concave reflector, wherein the first end portion of the discharge lamp extends through an opening provided in a center section of the reflector, and wherein the discharge lamp is mounted in a fixation means provided in the opening of the reflector.

As explained above with respect to claim 1, Marien neither discloses nor suggests any high pressure discharge lamp assembly including this combination of features.

Therefore, for at least these reasons, Applicant respectfully submits that claim 12 is patentable over Marien. Accordingly, Applicant respectfully requests that the rejection of claim 12 be withdrawn.

Independent Claim 13

Among other things, the high pressure discharge lamp assembly of claim 12 includes a discharge lamp and a concave reflector, wherein the first end portion of the discharge lamp extends through an opening provided in a center section of the reflector, and wherein the discharge lamp is mounted in a fixation means provided in the opening of the reflector.

As explained above with respect to claim 1, Marien neither discloses nor suggests any high pressure discharge lamp assembly including this combination of features.

Kika does not remedy these deficiencies of Marien.

Therefore, for at least these reasons, Applicant respectfully submits that claim 13 is patentable over any possible combination of Marien and Kika. Accordingly, Applicant respectfully requests that the rejection of claim 13 be withdrawn.

**CONCLUSION**

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-6 and 8-

13 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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